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c 353 Seduction Act

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CHAPTER 353

The Seduction Act

1. The father or, in case of his death, the mother, whether she remains a widow or has married again, of an unmarried female who has been seduced, and for whose seduction the father or mother could maintain an action if the unmarried female was at the time dwelling under his or her protection, may maintain an action for the seduction, notwithstanding that the unmarried female was, at the time of her seduction, serving or residing with another person upon hire or otherwise. R.S.O. 1937, c. 114, s. 1.

When action maintainable by father or mother.

2. Upon the trial of an action for seduction brought by the father or mother it shall not be necessary to prove any act of service performed by the person seduced, but it shall in all cases be presumed, and no evidence shall be received to the contrary; but if the father or mother of the person seduced had, before the seduction, abandoned her and refused to provide for and retain her as an inmate of his or her home, then any other person who might at common law have maintained an action for the seduction may maintain the action. R.S.O. 1937, c. 114, s. 2.

Proof of service dispensed with.

3. Any person, other than the father or mother, who by reason of the relation of master, or otherwise, would have been entitled at common law to maintain an action for the seduction of an unmarried female, may still maintain the action, if the father or mother be not resident in Ontario at the time of the birth of the child which is born in consequence of the seduction, or being resident therein does not bring an action for the seduction within six months from the birth of the child. R.S.O. 1937, c. 114, s. 3.

Where father or mother not resident in Ontario.

4. If the father and mother of an unmarried female who has been seduced are both dead, and the unmarried female is under the age of 21, any person, who at the time of the birth of the child which is born in consequence of the seduction, was the legal guardian of, or stood *in loco parentis* to the unmarried female, may maintain an action for the seduction, notwithstanding that the unmarried female was, at the time of her seduction, serving or residing with another person upon hire or otherwise. R.S.O. 1937, c. 114, s. 4.

Who may maintain action in case of infant orphan.

